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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/709,170	11/10/2000	Raymond P. Warrell	10412-025	4982
79089	7590	12/19/2008		
Diehl Servilla LLC 77 Brant Avenue Suite 210 Clark, NJ 07066			EXAMINER GIBBS, TERRA C	
			ART UNIT	PAPER NUMBER
			1635	
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			12/19/2008 PAPER	

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The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09709170	11/10/00	WARRELL ET AL.	10412-025

## EXAMINER

TERRA C. GIBBS

## ART UNIT PAPER

1635 20081208

DATE MAILED:

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## Commissioner for Patents

## Improper Information Disclosure Statement (IDS)

Applicant's IDS filed November 25, 2008 is acknowledged. However, the IDS has not been considered by the Examiner because the IDS does not comply with MPEP 609.04(b) - Timing Requirements for an Information Disclosure Statement. Specifically, the IDS does not comply with MPEP 609.04(b)iii. Because the IDS does not comply with the timing requirements, an "X" has been placed on the pages of the IDS to indicate that the references have not been considered on the merits. If Applicant's wish to have the IDS considered, then Applicant's must file a request for continued examination (RCE) or take some other appropriate action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Terra C. Gibbs whose telephone number is 571-272-0758. The examiner can normally be reached on 9 am - 5 pm M-F. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James "Doug" Schultz can be reached on 571-272-0763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000. Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been corrected. The USPTO's Patent Electronic Business Center is a complete service center supporting all patent business on the Internet. The USPTO's PAIR system provides Internet-based access to patent application status and history information. It also enables applicants to view the scanned images of their own application file folder(s) as well as general patent information available to the public.

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December 8, 2008

/Terra Cotta Gibbs

